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RECEIVED

June 18, 2008

**By Federal Express**

Honorable Sidney H. Stein  
U.S. District Court for the Southern District of New York  
Daniel P. Moynihan U.S. Courthouse - Room 1010  
500 Pearl Street  
New York, New York 10007

***Re: Oswaldo Cruz, Mary Martha Littlejohn and Robert Greg Winn, on Behalf  
of themselves and a class of those similarly situated v. Lawson Software, Inc.  
and Lawson Software Americas, Inc., 08-CIV-4704 (SHS)(THK)(S.D.N.Y.)  
MLG File No. 8797***

Dear Justice Stein:

With the Court's permission, we would like to act as incoming local counsel for defendants Lawson Software, Inc. and Lawson Software Americas, Inc. ("Lawson") in the above-referenced action. We write this letter respectfully: (i) to request that the Court "so order" a stipulation permitting my firm, Meltzer, Lippe, Goldstein & Breitstone, LLP ("Meltzer Lippe") to be substituted for Littler Mendelson, P.C. ("Littler") as counsel for Lawson executed by Lawson and both firms; (ii) to advise the Court of a motion for admission *pro hac vice*; and (iii) to request oral argument of Lawson's pending motion for partial dismissal of the complaint filed on June 10, 2008 (Docket Nos. 5, 6 and 7).

Lawson is a computer software company that provides technology-related products and services. This action was commenced on May 20, 2008 by plaintiffs, three current and former Lawson consultants, as a putative collective and class action alleging violations, *inter alia*, of ERISA, FLSA and related state law claims. Lawson contends that plaintiffs were exempt from Federal and State wage and overtime laws given the nature of their job duties. On May 27, 2008, this Court issued an order directing that a preliminary conference take place before this Court on July 25, 2008 at 11:00 a.m. Lawson filed a motion for dismissal of the ERISA and state common law unjust enrichment counts of the complaint on June 10, 2008. The motion should be fully briefed before the preliminary conference on July 25, 2008.


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The case is at its inception. A change of local counsel and admission of Lawson's regularly retained outside counsel can be accomplished now without affecting the course of these proceedings and in time for new counsel's appearance at the upcoming preliminary conference. Lawson therefore asks that the Court "so order" a Stipulation of Substitution of Counsel and grant defendants' Motion for Admission *Pro Hac Vice* of Sara Gullickson McGrane, Esq. of the Minneapolis law firm, Felhaber Larson Fenlon & Vogt, P.C. Copies of the Stipulation of Substitution of Counsel and Motion for Admission have been electronically filed and/or submitted to the Clerk and courtesy copies are enclosed for the Court's convenience.

Because Ms. McGrane will be travelling from Minneapolis to attend the Court's preliminary conference on July 25, 2008, Lawson requests that Court permit Ms. McGrane to orally argue Lawson's motion for partial dismissal at that time. Lawson believes that oral argument will greatly assist the Court in determining the pending motion and reducing the issues to be litigated in this case.

We would ask that the Court advise counsel as to whether it will permit oral argument of Lawson's motion on July 25, 2008 so that timely travel arrangement can be made for Ms. McGrane. Thank you for your attention in this matter.

Respectfully submitted,



Loretta M. Gastwirth


LMG:tc

Encl.

cc: Sara Gullickson McGrane, Esq. (w/encl.)  
 Christine E. Webber, Esq. (fed. ex. w/encl.)  
 Clayton D. Halunen, Esq. (fed ex. w/encl.)  
 Craig Benson, Esq. (fed ex. w/encl.)

*Ms McGrane may appear on 7/25/08 at 10 A.M. by telephone (212-805-0087). The Court cannot decide whether oral argument is needed until the motion is fully briefed.*

**SO ORDERED 6/19/08**



**SIDNEY H. STEIN**  
 U.S.D.J.